



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला सोमवार, ८ नवम्बर, १९६६/१७ नवम्बर, १९६६

हिमाचल प्रदेश सरकार

INDUSTRIES DEPARTMENT

NOTIFICATION

Shimla-4, the 19th November, 1966

No. I.D.S. 15 (Estt.) 233/57.—In exercise of the powers delegated by the President under the proviso to Article 309 of the Constitution of India *vide* Government of India, Ministry of Home Affairs, notification No. F. 27/59. Him (i), dated the 13th July, 1959, the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to make the following Rules in respect of Himachal Pradesh Industries Department (Industries Wing) (Non-Ministerial and Technical) Class-III Service in regard to the following matters, namely:—

- (i) the method of recruitment to the Himachal Pradesh Industries Department (Industries Wing) (Non-Ministerial and Technical) Class-III Service;
- (ii) the qualifications necessary for appointment to such service and posts; and
- (iii) the conditions of service of persons appointed to such service and posts for the purpose of probation, confirmation, seniority and promotion.

RECRUITMENT RULES

PART—I GENERAL

1. *Short title and commencement.*—(i) These rules may be called the Himachal Pradesh Industries Department (Industries Wing) (Non-Ministerial and Technical) Class-III Service (Gazetted and Non-Gazetted) (Recruitment, Promotion and Certain Conditions of Service Rules, 1966.

(ii) These rules shall come into force from the date of notification in the Official Gazette.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context,—

(i) “Lieutenant Governor” means the Lieutenant Governor, Himachal Pradesh.

(ii) “Government” means the Himachal Pradesh Government.

(iii) “Service” means the Himachal Pradesh Industries Department (Industries Wing) (Non-Ministerial and Technical) Class-III Service (Gazetted & Non-Gazetted).

(iv) “Direct recruitment” means an appointment made otherwise by promotion or selection from amongst the members of the service or by transfer of an official already in the service of the Government or of the Union.

(v) “Posts” means the posts specified in Appendix-A to these Rules.

(vi) “Recognised Institution” means any Board or University incorporated by law in India and such other University, Board, College, School or Institution which is declared or may be declared from time to time by the Government of India or by the Government from time to time to be recognised Institution for the purpose of these rules.

(vii) “Scheduled Castes” means the castes, races or tribes or parts of or groups within castes, races or tribes specified in the Constitution (Scheduled Castes) (Union Territories) Order, 1951, as amended by Part 7 of Schedule II read with sub-section (2) of section 3 of the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956, (63 of 1956).

(viii) “Scheduled Tribes” means the Tribes or Tribal communities or parts of or groups within Tribes or Tribal communities specified in Schedule to the Constitution (Scheduled Tribes) (Union Territories) Order, 1951, as amended by Part IV of Schedule IV read with sub-section (2) of section 4 of the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1956 (63 of 1956).

(ix) “Member” means a member of Himachal Pradesh Industries Department (Industries Wing) (Non-Ministerial and Technical) Class-III Service (Gazetted & Non-Gazetted).

(x) “Departmental Promotion Committee” means the Committee constituted under Rule 10 of these Rules, for selecting persons for appointment to any category/categories of posts in the service either by promotion or by direct recruitment or otherwise.

(xi) “Appointing Authority” means the authority competent to make appointments to the various categories of posts in the service.

PART-II—RECRUITMENT TO SERVICE

3. *Number and character of posts.*—The Character (i.e. designation, grade etc.) of the various posts included in the service and their rates of pay shall be as indicated in the Appendix-B to these rules.

Nothing in these rules shall, however, effect the inherent right of the Government to increase or reduce the scale of pay and the number of posts.

4. *Nationality, eligibility etc.*—A candidate for appointment to any post in the service must be:—

- (a) a citizen of India, and
- (b) (i) who or whose father has been continuously residing in Himachal Pradesh for a period of not less than three years immediately preceding the last date fixed for making applications for appointment to a post, or
- (ii) whose father, if dead, continuously resided in Himachal Pradesh for a period of not less than three years immediately preceding his death and who has after the death of his father, continued to reside in Himachal Pradesh upto the last date fixed for making applications for appointment to a post.

Provided that any period of temporary absence from Himachal Pradesh for the purpose of prosecuting his studies or for under going medical treatment or any period of such temporary absence not exceeding three months for any other reason, shall not be deemed to constitute a break in the continuity of such residence, but for the purpose of calculating the said period of three years any such period of temporary absence shall be excluded; and

- (iii) who produce before the appointing authority concerned, if so required by it, a certificate of eligibility granted under rule 4 of the Himachal Pradesh, Manipur and Tripura Public Employment (Requirement as to Residence) Rules, 1959:

Provided further that in case the Lieutenant Governor, in any exceptional case and for reasons to be recorded in writing, relax the provisions of sub-rule (b) (i) of this rule, in exercise of his discretion under rule 5 of the Himachal Pradesh, Manipur and Tripura Public Employment (Requirement as to Residence) Rules, 1959, a candidate for appointment to any post in the service must be:—

- (a) a citizen of India, or
- (b) a subject of Sikkim, or
- (c) a subject of Nepal, or
- (d) a person of Indian origin who has migrated from Pakistan with the intention of permanently settling in India:

Provided that if he belongs to category (c) or (d) he must be a person in whose favour a certificate of eligibility has been given by the Government of India:

Provided further that if he belongs to category (d), the certificate of eligibility will be valid only for a period of one year from the date of his appointment beyond which he can be retained in service only if he has become a citizen of India.

Note:—A candidate in whose case a certificate of eligibility is necessary, may be admitted to an examination or interview and he may also provisionally be appointed subject to the necessary certificate being eventually given to him by the Government.

5. *Age of Candidates.*—A candidate must not be less than 18 years and not more than 25 years of age on the date of his appointment:

Provided that the minimum and maximum age limits as prescribed may be relaxed in pursuance of the administrative instructions given in Appendix 3 of the Posts and Telegraphs Compilation of the Fundamental and Supplementary Rules, Volume II:

Provided further that the maximum age limit may be relaxed in the case of Scheduled Castes/Tribes candidates, displaced persons and other special categories in accordance with the order issued by the Government of India from time to time.

6. *Character and physical fitness of candidates.*—No person shall be appointed direct to any post in the service unless he produces :—

- (i) a certificate of character from the head of his educational institution last attended if any, and similar certificates from two responsible persons who are not related to him and who are well acquaint with him in private life and are not connected with his University, College or School. These certificates will be in addition to verification of character and antecedents to be done separately by the appointing authority lateron ;
- (ii) a certificate of physical fitness as required by rule 10 of the Fundamental Rules and rules 3 and 4 of Supplementary Rules, Vol. I.
- (iii) a declaration to the effect that he has not more than one wife living :
 - (a) no person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to service ;
- (iv) in the case of female Government servant, declaration to the effect that she has not married a person having already a living wife :
 - (a) no women whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married person who has a wife living at the time of such marriage, shall be eligible for appointment to service :

Provided that the Government may, if satisfied, that there are special grounds for doing so exempt any person from the operation of rules in clause (iii) and (iv) above.

7. *Authority empowered to make appointments.*—All appointments to the posts in the service shall be made by the Head of Department or by any other authority declared as Appointing Authority by the Lieutenant Governor, Himachal Pradesh.

8. *Educational and technical qualifications of candidates.*—No person shall be appointed to the Service unless he/she has the educational and technical qualifications as laid down against each post in column 6 & 7 of Appendix 'B' to these rules :

Provided that the educational and technical qualifications may be relaxed in special circumstances, by the orders of the Lieutenant Governor.

9. *Method of Recruitment.*—Posts in the service will be filled either by promotion or by the direct recruitment as laid down against each post in column 4 to 8 of Appendix 'B' to these rules :

Provided that 23% and 5% of the vacancies to be filled up by direct recruitment shall be filled up from the candidates belonging to Scheduled Castes and Scheduled Tribes respectively subject to the minimum qualifications being satisfied by them.

10. *Selection by Departmental Promotion Committee.*—The Departmental Promotion Committee shall be as follow :—

- (i) Secretary (Industries)
- (ii) Director of Industries
- (iii) Head of office at headquarters (to be nominated by the Director of Industries)

Chairman
Member
Member

Officer of appointment shall be made strictly in accordance with the order of merit in which the candidates are placed at the time of selection.

PART-II—CONDITIONS OF SERVICE

11. *Probation.*—(i) Members of the service who are appointed against permanent vacancies shall, on appointment to any post in service remain on probation for a period of two years.

Explanation.—Approved officiating shall be taken as a period spent on probation but no member who is officiating in any appointment shall on the completion of the probationary period prescribed, be confirmed until he is appointed against a permanent vacancy.

(ii) If the work or conduct of any member during his period of probation is, in the opinion of the appointing authority, not satisfactory, the appointing authority may dispense with his services or revert him to his former post if he has been appointed to that post otherwise than by direct recruitment.

(iii) On the completion of the period of probation of any member the appointing authority may, on the recommendations of the Departmental Promotion Committee, if a vacancy exists, appoint him substantively with retrospective effect or if his work or conduct is, in the opinion of the Appointing Authority, not been satisfactory, may dispense with his service or revert him to his former post, if he has been recruited otherwise than by direct appointment, or may extend the period of probation, may pass such order as it could have passed on the expiry of the first period of probation:

Provided always that the total period of probation including extension if any, shall not exceed four years.

12. *Discipline.*—In respect of discipline, punishment and appeals, the members of the service shall be governed by the provisions of Central Civil Services (Classification, Control and Appeal) Rules, 1965 and the Central Civil Services (Conduct) Rules, 1964 as amended from time to time.

13. *Seniority.*—(i) Subject to the provisions of paragraph (ii) below, persons appointed in substantive or officiating capacity to a grade prior to the issue of these rules shall retain the relative seniority already assigned to them or such seniority as may hereafter be assigned to them under the existing orders applicable to their cases and shall *en bloc* be senior to all others in that grade.

Explanation:—For the purpose of these rules,—

(a) persons who are confirmed retrospectively with effect from a date earlier than the issue of these rules, and

(ii) Subject to the provisions of paragraphs (iii) to (iv) below, permanent officers of each grade shall be ranked senior to persons who are officiating in that grade.

(iii) *Direct Recruits.*—Notwithstanding the provisions of sub-rule (ii) above, the relative seniority of all direct recruits shall be determined by the order of merit in which they are selected for such appointments on the recommendations of the selecting authority, persons appointed as a result of an earlier selection being senior to those appointed as a result

of subsequent selection:

- (a) Provided that where persons recruited initially on a temporary basis are confirmed subsequently in an order different for the order of merit indicated at the time of their appointment, seniority shall follow the order of confirmation and not the original order of merit.
- (b) Provided further that a person who does not join within the specified period shall lose his seniority according to the select list and shall rank in the seniority list next due to the persons who joined earlier.
- (c) provided further that he shall not lose his seniority if the fact of his joining later was caused by circumstances beyond his control and for reasons to be recorded in writing, the appointing authority is satisfied that this was so.

(iv) *Promotees.*—The relative seniority of direct recruits and of promotees shall be determined according to the retain of vacancies between the direct recruits and promotees which shall be based on the quotas of vacancies reserved for direct recruits and promotion respectively in the recruitment rules.

(v) *Relative seniority of Direct recruits and Transferees.*—Transferees shall be senior to direct recruits appointed on the same date.

14. *Leave, pension etc.*—In respect of leave, pension and other matters not specifically mentioned in these rules, the members of the service shall be governed by the Revised leave Rules, 1933, given in Appendix 7-A, Volume-II of the Posts and Telegraphs Compilation of the Fundamental and Supplementary Rules and the pension rules promulgated by the Government of India Finance Ministry's office Memo-No. F. 3 (1) Estt., (Spl)/47 dated the 17th April, 1950 (as amended from time to time) unless one has already exercised option otherwise.

15. *Other Conditions of service.*—In respect of conditions of service other than these covered by these rules members of the service shall be governed by Government of India, Ministry of Home Affairs Notification No. 27/59-HIM (ii), dated the 15th July, 1959.

Sd/-
Secretary.

Extract of Notification No. I&S 15 (Estt.) 283/57, dated 15th November, 1966 from the Secretary (Industries) to the Government of Himachal Pradesh regarding Recruitment & promotion) Rules of Non-Ministerial & Technical Class-III Service

Sl. No.	Name of posts	Scale of pay	Proportion of vacancies to be filled in by	
			Promotion	Direct recruitment
1	2	3	4	5
1.	Information Officer. (Matric)	100-10-300	75%	25%
2.	Inspector, Weights & measures.	150-10-200/10-300.	100%	—
3.	Maintenance Supervisor.	150-10-250	100%	—
4.	Manual Asstts.	55-3/70/4-90/5-120	—	100%

Appendix 'B' (referred to in Rule 9)

Grades from which promotion will be made	Educational & other qualifications required for direct rectx.	Whether educational & other qualifications prescribed for direct rectx. will be apply in case of deptl. promotion.	Method of direct rectx.
6	7	8	9
(i) Maintenance supvsr. in the scale of Rs. 150-10-250 with three years experience.	B.A. or B.S.c.	No.	Interview & written test.
(ii) Manual Asstts. in the scale of Rs. 55-3-70/4-90/5-120 with 5 years experience provided they are matriculates.		No.	
Manual Asstts. in the scale of Rs. 55-3-70/4-90/5-120 with 3 years experience provided they are matriculates.	Matric	No	Interview & written test.
—	Matric	No	-do-

Sd-
Secretary.

Shimla-the 4th March, 1977

No. 2-43/75-SI (Estt).—In exercise of the powers vested in him under the proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, H.P. is pleased to make the following Rules further to amended the H.P. Industries Department (Industries Wing) (Non-Ministerial and Technical) Class-III (Gazetted & Non-Gazetted) (Recruitment, Promotion and certain conditions of Service) Rules, 1966, framed vide Government Notification No. I&S. 15 (Estt) 283/57, dated the 19th November, 1966, namely:—

1. *Short title and Commencement.*—(1) These rules may be called the Himachal Pradesh (Industries Wing) (Non-Ministerial & Technical) Class-III Service Non-gazetted Recruitment, promotion and certain conditions of Service (Fourth Amendment) Rules, 1976.

(2) These rules shall come into force with effect from the date on which these are published in the Rajpatra.

2. *Amendment of Appendix 'A'.*—For existing entry in column (4) against serial number 4 relating to the post of Manual Assistant (W&M) in appendix (A) to the Himachal Pradesh Industries Department (Industries Wing) (Non-Ministerial and Technical) Class-III Service (Gazetted & Non-Gazetted) Recruitment, Promotion and certain conditions of Service Rules, 1966 (hereinafter called "the said Rules") the following entry shall be inserted namely:—

Rs. 100-4-140/5-160

3. *Amendment in Appendix 'B'.*—For existing entries in columns (3), (4) (5) and (6) against serial number 4, relating to the post of Manual Assistant in appendix 'B' to the said Rules the following entries in column (3) (4), (5) and (6) shall be substituted, namely:—

Column (3):	Rs. 100-4-140/5-160.
Column (4):	10% by promotion from Class-IV employees of the Industries Department with Matriculation qualification having 5 years service in the grade.
Column (5):	90% by direct recruitment.
Column (6):	From Class-IV employees of the Industries Department Himachal Pradesh.

By order,
Sd/-
Secretary.

शिमला, 31 नवम्बर, 1979

संख्या 2-39/74-एस0आई0-7-डस्ट.—भारत के संविधान 309 के परन्तुक में प्रदत्त शक्तियों तथा इस सम्बन्ध में सभी शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश उद्योग विभाग में सरकार की अधिसूचना संख्या आई0एण्डएस0-15(एस्ट) 283/57, दिनांक 19 नवम्बर, 1966 द्वारा बनाये गये (उद्योग शाखा) मैरिटलिटिक

धर्मीय गैर-तकनीकी श्रेणी-III (राजपत्रित तथा अराजपत्रित) नियुक्ति पदोन्नति तथा सेवाओं की विशेष शर्तों के नियम 1966 में सह्य निम्नलिखित संशोधन करते हैं:—

1. *Short Title and Commencement.*—(1) These Rules may be called the Himachal Pradesh (Industries) Wing (Non-Gazetted Ministerial and Technical Services) Recruitment, Promotion and certain conditions of Services (Fifth Amendment) Rules, 1979.

(2) These rules shall come into force with immediate effect.

2. *Amendment of Appendix 'B'.*—For existing entry against No. 2 relating to the post of Inspector, W&M in Appendix "B" to the H.P. (Industries Wing) Non-Gazetted Ministerial and Technical Class-III Services Gazetted and Non-Gazetted, recruitment, promotion and certain conditions of service Rules, 1966 (hereinafter called the said Rules, the following entry shall be substituted under Col. 6 and 8 for the existing entries :

Under column 6

(i) Maintenance Supervisor in the pay scale of Rs. 160-400 with three years service (regular including *ad-hoc*) and Matric or equivalent or Prabhakar Bhushan/Rattan with Matric English only).

(ii) Manual Assistant in the pay scale of Rs. 100—160 with five years service (regular including *ad-hoc*) and Matric or its equivalent or Prabhakar/Bhushan/Rattan with Matric English only.

Under Col. No. 8 'B' Age No

Qualifications laid down under column 6.

2. For existing entry under column No. 6 appendix 'B' against serial No. 3 relating to the Maintenance Supervisor, W&M to the Himachal Pradesh (Industries wing) Non-Ministerial and Tech. Class-III Service (Gazetted and Non-gazetted) recruitment, promotion and certain conditions of Service Rules, 1966 (hereinafter called said Rules) to the following entry shall be substituted for the existing entry.

Manual Assistant in the pay scale of Rs. 100—160 including selection grade.

(i) Those who are Matric or its equivalent or Prabhakar/Bhushan/Rattan with Matric English only should have at least three years service including *ad-hoc*.

(ii) Those who are Middle should have eight years service including *ad-hoc*.

For existing entry against Sl. No. 3 Maintenance Supervisor in column No. 8 of the appendix 'B' of the said Rules the following be substituted:—

Age : No

Qualification: As laid down in column 6 (six).

Sd/-
Commissioner-cum-Secretary.